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*Attorneys for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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ALPINE SECURITIES CORPORATION, a  
Utah corporation, SCOTTSDALE CAPITAL  
ADVISORS, an Arizona corporation

Plaintiff,

v.

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Defendant.

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**JOINT NOTICE AND STIPULATION  
REGARDING SCHEDULING**

Case No. 2:18-cv-00504-CW

Judge Clark Waddoups

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Plaintiffs Alpine Securities Corporation (“Alpine”) and Scottsdale Capital Advisors (“SCA”) and Defendant United States Securities and Exchange Commission (the “Commission” or “SEC”) (collectively, sometimes “Parties”), through counsel of record, hereby file this Joint Notice and Stipulation Regarding Scheduling.

WHEREAS, on January 12, 2022, the Parties met and conferred regarding the current status of this proceeding.

WHEREAS, Alpine and SCA informed the Commission that they intend to make the following filings, concurrently with this Joint Notice and Stipulation, to move this case forward: (a) Notice of Withdrawal of Plaintiffs’ Motion for Preliminary Injunction; (b) Notice of Voluntary Dismissal of Alpine’s Claims Without Prejudice; and (c) First Amended Complaint on behalf of SCA. The Commission has advised that it does not oppose these filings provided that SCA agree to the briefing schedule below.

Based on the foregoing, the Parties hereby stipulate, agree and ask the Court to approve the following schedule in relation to SCA’s First Amended Complaint:

1. SCA shall file its First Amended Complaint by February 1, 2022.
2. The Commission shall file an answer or otherwise respond to SCA’s First Amended Complaint by April 4, 2022.
3. In the event the Commission files a motion to dismiss under Rule 12(b) of the Federal Rules of Civil Procedure in response to SCA’s First Amended Complaint, SCA shall file a Memorandum in Opposition by June 6, 2022.
4. The Commission’s Reply Memorandum, if any, shall be due by July 8, 2022.

5. In the interests of economy and efficiency, the Parties desire to extend the date to file a proposed scheduling and discovery plan until after the Court has ruled on a motion to dismiss filed by the Commission.

DATED this 1st day of February 2022.

**PARSONS BEHLE AND LATIMER**

*/s/ Aaron D. Lebenta*

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Aaron D. Lebenta

*Counsel for Plaintiffs*

**MARANDA FRITZ, P.C.**

*/s/ Maranda E. Fritz*

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Maranda E. Fritz

*Counsel for Plaintiffs*

DATED this 1st day of February 2022.

**UNITED STATES SECURITIES &  
EXCHANGE COMMISSION**

*/s/ Matthew S. Ferguson*

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Matthew S. Ferguson

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2022, I caused the foregoing to be served to the following parties of record via ECF:

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/s/ Aaron D. Lebenta  
Aaron D. Lebenta